# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

KEVIN CORNWELL, Individually and On Behalf of All Others Similarly Situated,	<ul> <li>x</li> <li>: Civil Action No. 08-cv-03758(VM</li> <li>: (Consolidated)</li> </ul>
Plaintiff,	: <u>CLASS ACTION</u>
vs.  CREDIT SUISSE GROUP, et al.,  Defendants.	DECLARATION OF ELLEN GUSIKOFF STEWART FILED ON BEHALF OF ROBBINS GELLER RUDMAN & DOWD LLP IN SUPPORT OF APPLICATION FOR AWARD OF ATTORNEYS' AND EXPENSES

## I, ELLEN GUSIKOFF STEWART, declare as follows:

- 1. I am a member of the firm of Robbins Geller Rudman & Dowd LLP. I am submitting this declaration in support of my firm's application for an award of attorneys' fees and expenses in connection with services rendered in the above-entitled action.
  - 2. This firm is Co-Lead Counsel of record for plaintiffs.
- 3. The identification and background of my firm and its partners is attached hereto as Exhibit A.
- 4. The total number of hours spent on this litigation by my firm is 2,243.50. The total lodestar amount for attorney/paraprofessional time based on the firm's current rates is \$1,239,490.00. The hourly rates shown below are the usual and customary rates charged for each individual in all of our cases. A breakdown of the lodestar is as follows:

NAME		HOURS	RATE	LODESTAR
Alba, Mario	(P)	4.50	565	2,542.50
Gusikoff Stewart, Ellen	(P)	90.75	705	63,978.75
Isaacson, Eric	(P)	8.00	740	5,920.00
Robbins, Darren J.	(P)	6.25	760	4,750.00
Rosenfeld, David	(P)	171.50	595	102,042.50
Rudman, Samuel H.	(P)	520.50	770	400,785.00
Svetcov, Sandy	(P)	2.00	795	1,590.00
Walton, David C.	(P)	10.50	740	7,770.00
Wilens, Douglas	(P)	14.25	635	9,048.75
Boardman, Erin	(A)	4.50	360	1,620.00
Charo, Jarrett	(A)	286.50	510	146,115.00
De Mato, Marisa	(A)	149.75	460	68,885.00
Fitzgerald, Carolina	(A)	64.00	395	25,280.00
Matera, Shannon	(A)	4.75	490	2,327.50
Ngo, Ivy	(A)	2.00	395	790.00
Reich, Mark	(A)	7.25	550	3,987.50
Millkey, Mark	(OC)	161.25	670	108,037.50
McCormick, Tricia	(PA)	175.00	430	75,250.00
Simonson, Todd	(PA)	5.00	375	1,875.00

NAME		HOURS	RATE	LODESTAR
Brandon, Kelley T.	(I)	6.00	420	2,520.00
Courtney, Jean M.	(I)	10.00	315	3,150.00
Aronica, Steven	(FA)	187.00	535	100,045.00
Barhoum, Anthony J.	(EA)	26.00	380	9,880.00
Le, Joseph	(EA)	4.00	305	1,220.00
Roelen, Scott	(EA)	19.00	305	5,795.00
Uralets, Boris	(EA)	8.00	315	2,520.00
Villalovas, Frank E.	(EA)	6.50	380	2,470.00
Wilhelmy, David E.	(EA)	2.00	335	670.00
Paralegal I		66.50	285-295	19,567.50
Paralegal II		118.75	280	33,250.00
Paralegal III		4.50	265	1,192.50
Shareholder Relations		58.00	75-285	15,480.00
Document Clerk		39.00	225-235	9,135.00
TOTAL		2,243.50		\$1,239,490.00

- (P) Partner
- (A) Associate
- (OC) Of Counsel
- (PA) Project Attorney
- (I) Investigator
- (FA) Forensic Accountant
- (EA) Economic Analyst
- 5. My firm incurred a total of \$93,214.90 in expenses in connection with the prosecution of this litigation. They are broken down as follows:

## **EXPENSES**

## From Inception to June 24, 2011

EXPENSE CATEGORY	TOTAL
Meals, Hotels & Transportation	\$ 1,592.52
Photocopies	3,159.62
Postage	46.63
Telephone, Facsimile	79.05
Messenger, Overnight Delivery	565.49
Filing, Witness & Other Fees	9,533.25
Lexis, Westlaw, Online Library Research	11,427.57
Class Action Notices/Business Wire	973.25
Mediation Fees	18,875.00

EXPENSE CATEGORY		TOTAL
Experts/Consultants/Investigators		46,962.52
All Point Financial, Inc.	\$ 325.00	
CBIZ Valuation Group, LLC	11,950.37	
L.R. Hodges & Associates, Ltd.	34,687.15	
TOTAL		\$ 93,214.90

- 6. The following is additional information regarding these expenses:
  - (a) Filing, Witness and Other Fees: \$9,533.25

DATE	VENDOR ·
04/21/08	Clerk of the Court
04/23/08	D&D Process Service, Inc.
05/05/08	Irma Herron
05/09/08	Class Action Research & Litigation Support Services
08/13/08	Clerk of the Court
08/20/08	Gary McClurg
09/04/08	D&D Process Service, Inc.
09/08/08	D&D Process Service, Inc.
09/11/08	D&D Process Service, Inc.
09/15/08	Legal Language Services
10/27/09	Gary McClurg
11/12/09	D&D Process Service, Inc.
06/01/10	Clerk of the Court
06/18/10	D&D Process Service, Inc.
06/23/10	Class Action Research & Litigation Support Services
07/31/10	Class Action Research & Litigation Support Services
11/24/10	D&D Process Service, Inc.
12/08/10	D&D Process Service, Inc.
03/07/11	Clerk, U.S. District Court
03/09/11	Clerk of the Court
05/13/11	Gary McClurg

- (b) Meals, Hotels and Transportation: \$1,592.52. Expenses for out-of-town meals, hotels and transportation were incurred for court appearances, meetings and mediation sessions.
  - (c) Photocopying:
    In-house (10,386 copies @ \$0.25 per copy): \$2,596.50
    Outside Photocopy Expenses: \$563.12

DATE	VENDOR
05/10/10	Kinkos.Com - Printing
06/25/10	Morgan Keegan & Company, Inc.
07/30/10	Comerica
08/30/10	Suntrust Bank

- (d) Lexis, Westlaw, Online Library Research: \$11,427.57. These included vendors such as Disclosure, Inc., Dow Jones Interactive, Dow Jones & Co., Inc., Lexis Nexis, CDA Investment Technologies, Pacer Service Center, West Publishing Corporation, and Choice Point. These databases were used to obtain access to SEC filings, legal research and cite-checking of briefs. The charges for these vendors vary depending upon the type of services requested.
- 7. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from expense vouchers, check records and other documents and are an accurate record of the expenses.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 27th day of June, 2011, at San Diego, California.

ELZEN GUSIKOFF STEWART

## CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2011, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 27, 2011.

s/ Ellen Gusikoff Stewart
ELLEN GUSIKOFF STEWART

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## Mailing Information for a Case 1:08-cv-03758-VM -JCF

#### **Electronic Mail Notice List**

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#### **Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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